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RODEY, DICKASON, SLOAN, AKIN & ROBB, P. A.

ATTORNEYS AT LAW

201 THIRD STREET NW, SUITE 2200  
ALBUQUERQUE, NEW MEXICO 87102

P.O. BOX 1888

ALBUQUERQUE, NEW MEXICO 87103  
WWW.RODEY.COM

TELEPHONE (505) 765-5900  
FACSIMILE (505) 768-7395

OF COUNSEL  
JACKSON C. AIGN  
JOHN D. ROBB  
JAMES C. RITCHIE  
JO SAXTON BRAYER  
ROBERT G. McCORKLE  
DAVID H. JOHNSON

BERNARD S. RODEY (1858-1927)  
PEARCE C. RODEY (1859-1958)  
DON L. DICKASON (1906-1989)  
WILLIAM A. SLOAN (1910-1993)

SANTA FE OFFICE  
315 PASEO DE PERALTA  
SANTA FE, NEW MEXICO 87501-2001  
P.O. BOX 1357  
SANTA FE, NEW MEXICO 87504-1357  
TELEPHONE (505) 864-3900  
FACSIMILE (505) 864-3912

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TO: Examiner J. CHIANG DATE: July 8, 2005  
FROM: DeWitt M. Morgan FAX NUMBER: 571-273-8300

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Regarding

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James M. Carter  
Application No.: 09/898,648 Group No.: 3727  
Filed: 07/03/2001 Examiner: CHIANG, J.

For: CARRIER WITH BUILT-IN AMPLIFICATION FOR PERSONAL AUDIO DEVICE

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Practitioner's Docket No. 13429-40254

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**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: James M. Carter

Application No.: 09/898,648

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Examiner:

For: CARRIER WITH BUILT-IN AMPLIFICATION FOR PERSONAL AUDIO DEVICE

**Commissioner for Patents**  
**P.O. Box 1450**  
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**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Restriction Requirement of June 27, 2005, Applicant elects, with partial traverse, the claims of Group II. Applicant assumes that the Primary Examiner intended the group to be claims 9-12 and not 9-14 as stated.

In a telephone call prior to the Office Action, the Primary Examiner verbally grouped claim 15 with claim 9-12. Given the overlap between these claims, Applicant requests that his part of the restriction be withdrawn.

Date: 07/08/05

D.W. M. Morgan  
DeWitt M. Morgan  
Registration No. 26488  
Rodey Dickason Sloan Akin & Robb P.A.  
P.O. Box 1888  
Albuquerque, NM 87103-1888  
505-765-5900  
Customer No. 26257

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